

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

ISMAEL A. HERNANDEZ ET AL.

CASE NO.: DP-6675 US NA

APPLICATION NO.: 09/934,905

GROUP ART UNIT: 3765

FILED: AUGUST 22, 2001

EXAMINER: UNASSIGNED

FOR: FIBERFILL PRODUCTS COMPRISING  
POLYTRIMETHYLENE TEREPHTHALATE  
STAPLE FIBERS

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION- FILING DATE GRANTED**

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed September 24, 2001 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

*Mark D. Kuller*

MARK D. KULLER  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 31,925  
TELEPHONE: 302-892-1354  
FACSIMILE: 302-892-0699

Dated: October 29, 2001

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TC 1700

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TC 3700 MAIL ROOM





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/934,905         | 08/22/2001          | Ismael A. Hernandez   | DP6675 US NA           |

CONFIRMATION NO. 8050

23906  
E I DU PONT DE NEMOURS AND COMPANY  
LEGAL DEPARTMENT - PATENTS  
1007 MARKET STREET  
WILMINGTON, DE 19898

## FORMALITIES LETTER



\*OC00000006781422\*

Date Mailed: 09/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

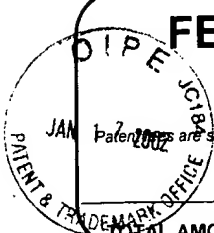
PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/23/2002 BABRAHA1 00000113 041928 09934905

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 130

## Complete if Known

|                      |                            |
|----------------------|----------------------------|
| Application Number   | 09/934,905                 |
| Filing Date          | August 22, 2001            |
| First Named Inventor | Ismael A. Hernandez et al. |
| Examiner Name        | Unassigned                 |
| Group / Art Unit     | 3765                       |
| Attorney Docket No.  | DP-6675 US NA              |

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     |          |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | -20 = 0      | X 18           | = 0      |
|              |                    |                    | -3 = 0       | X 84           | = 0      |
|              |                    |                    | X 280        | = 0            |          |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 280                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 109                  | 84                    | 209                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 105                  | 130                   | 205                  | 65                    | Surcharge - late filing fee or oath  | 130.00   |
| 127                  | 50                    | 227                  | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139                  | 130                   | 139                  | 130                   | Non-English specification  |          |
| 147                  | 2,520                 | 147                  | 2,520                 | For filing a request for reexamination                                     |          |
| 112                  | 920*                  | 112                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113                  | 1,840*                | 113                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115                  | 110                   | 215                  | 55                    | Extension for reply within first month                                     |          |
| 116                  | 400                   | 216                  | 200                   | Extension for reply within second month                                    |          |
| 117                  | 920                   | 217                  | 460                   | Extension for reply within third month                                     |          |
| 118                  | 1,440                 | 218                  | 720                   | Extension for reply within fourth month                                    |          |
| 128                  | 1,960                 | 228                  | 980                   | Extension for reply within fifth month                                     |          |
| 119                  | 320                   | 219                  | 160                   | Notice of Appeal   |          |
| 120                  | 320                   | 220                  | 160                   | Filing a brief in support of an appeal                                     |          |
| 121                  | 280                   | 221                  | 140                   | Request for oral hearing   |          |
| 138                  | 1,510                 | 138                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140                  | 110                   | 240                  | 55                    | Petition to revive - unavoidable   |          |
| 141                  | 1,280                 | 241                  | 640                   | Petition to revive - unintentional   |          |
| 142                  | 1,280                 | 242                  | 640                   | Utility issue fee (or reissue)   |          |
| 143                  | 460                   | 243                  | 230                   | Design issue fee   |          |
| 144                  | 620                   | 244                  | 310                   | Plant issue fee  |          |
| 122                  | 130                   | 122                  | 130                   | Petitions to the Commissioner  |          |
| 123                  | 50                    | 123                  | 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 126                  | 180                   | 126                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581                  | 40                    | 581                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 146                  | 740                   | 246                  | 370                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                  | 740                   | 249                  | 370                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                  | 740                   | 279                  | 375                   | Request for Continued Examination (RCE)                                    |          |
| 169                  | 900                   | 169                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

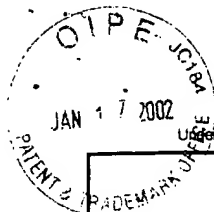
## SUBMITTED BY

## Complete (if applicable)

|                   |                       |                                 |        |           |                  |
|-------------------|-----------------------|---------------------------------|--------|-----------|------------------|
| Name (Print/Type) | Mark D. Kuller        | Registration No. Attorney/Agent | 31,925 | Telephone | (302) 892-1354   |
| Signature         | <i>Mark D. Kuller</i> |                                 |        | Date      | October 29, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on October 29, 2001  
Date

*Barbara A. Ferzetti*  
Signature

BARBARA A. FERZETTI  
Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/934,905  
DP-6675 US NA  
Response to Notice to File Missing Parts  
Copy of Notice to File Missing Parts  
3 Declarations (signed separately by inventors: Hernandez, Hietpas, Howell)  
3 Powers of Attorney (signed by each of the above inventors)  
Fee Transmittal Sheet  
Postal Receipt Card

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